

**SUPREME COURT MINUTES
WEDNESDAY, FEBRUARY 22, 2006
SAN FRANCISCO, CALIFORNIA**

S040703

PEOPLE v. ROBINSON (JAMES)
Rehearing denied

Petition for rehearing DENIED.

S139555

B172647 Second Appellate District,
Division One

GATTUSO v. HARTE-HANKS SHOPPERS, INC.
Petition for review granted (civil case)

Votes: George, C.J., Kennard, Werdegarr, Chin,
Moreno, Corrigan, JJ.

S140308

A107219 First Appellate District,
A108346 Division One

MURPHY v. KENNETH COLE PRODUCTIONS
Petition for review granted (civil case)

Request for judicial notice granted. Petition for
Review GRANTED.

The parties are directed to brief and argue the
following issues: (1) Is a claim under Labor
Code § 226.7 for the required payment of “one
additional hour of pay at the employee’s regular
rate of compensation” for each day that an
employer fails to provide mandatory meal or rest
periods to an employee governed by the three-
year statute of limitations for a claim for
payment of a penalty (Code Civ. Proc., § 338) or
the one-year statute of limitations for a claim for
payment of a penalty (Code Civ. Proc., § 340)?
(2) When an employee obtains an award on such
a wage claim in an administrative proceeding
and the employee seeks de novo review in
superior court, can the employee pursue
additional wage claims not presented in the
administrative proceeding?

Votes: George, C.J., Kennard, Baxter,
Werdegarr, Chin, Moreno, and Corrigan, JJ.

S133850

C047483 Third Appellate District

PILIMAI v. FARMERS INSURANCE
EXCHANGE COMPANY

Supplemental briefing ordered

The parties are directed to file supplemental briefs addressing the following issue: If arbitration costs are recoverable pursuant to Code of Civil Procedure § 998, subdivision (d), did the Court of Appeal err in awarding such costs because apparently they were not requested in Pilimai's memorandum of costs? (See Cal. Rules of Court, rule 870(a); see also *Jones v. John Crane, Inc.*, (2005) 132 Cal.App.4th 990, 1012.)

Simultaneous letter briefs addressing this issue must be served and filed by March 10, 2006. Simultaneous response briefs may be served and filed by March 17, 2006. All briefs must be filed in the San Francisco Office of the Court Clerk.

S139281B177152 Second Appellate District,
Division Eight

R. (WILLIAM), IN RE

Review granted/briefing deferred (rule 29.1) -
criminal case

Petitions for Review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue *In re Jaime P.*, S135263 and *In re Sheena K.*, S123980 (see Cal. Rules of Court, rule 28.2(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.

Votes: George, C.J., Kennard, Baxter,
Werdegar, Chin, Moreno, and Corrigan, JJ.

S139601

G034984 Fourth Appellate District,
Division Three

S. (JOSE), IN RE

Review granted/briefing deferred (rule 29.1) -
criminal case

Petition for Review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue *In re Jaime P.*, S135263 (see Cal. Rules of Court, rule 28.2(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.

Votes: George, C.J., Kennard, Baxter,
Werdegar, Chin, Moreno, and Corrigan, JJ.

S139968

H028217 Sixth Appellate District

PEOPLE v. WURTZ

Review granted/briefing deferred (rule 29.1) -
criminal case

Petition for Review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Crandell*, S134883 (see Cal. Rules of Court, rule 28.2(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.

Votes: George, C.J., Kennard, Baxter,
Werdegar, Chin, Moreno, and Corrigan, JJ.

S140396

D045557 Fourth Appellate District,
Division One

BIVENS v. GALLERY CORPORATION

Review granted/briefing deferred (rule 29.1) -
civil case

Petition for Review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *Californians for Disability Rights v. Mervyn's*, S131798 and *Branick v. Downey Savings & Loan Association*, S132433 (see Cal. Rules of Court, rule 28.2(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.

Votes: George, C.J., Kennard, Baxter,
Werdegar, Chin, Moreno, and Corrigan, JJ.

S139413

C051074 Third Appellate District

STARK v. S.C. (PEOPLE)

Review granted; transferred to CA 3 to issue OSC

Petitioners' motions for judicial notice granted. Petitions for review in the above-entitled cases are GRANTED.

The cases are consolidated sub nom. *Stark, et al. v. Superior Court*, S139413. The matter is transferred to the Court of Appeal, Third Appellate District, with directions to vacate its order denying petitions for mandate and prohibition and to issue an order directing real party in interest to show cause before that court why the relief sought in the petition should not be granted.

Votes: George, C.J., Kennard, Baxter,
Werdegar, Chin, Moreno, and Corrigan, JJ.

S139415

C051073 Third Appellate District

STARK v. S.C. (PEOPLE

Review granted; transferred to CA 3 to issue OSC

Petitioners' motions for judicial notice granted. Petitions for review in the above-entitled cases are GRANTED.

The cases are consolidated sub nom. *Stark, et al. v. Superior Court*, S139413. The matter is transferred to the Court of Appeal, Third Appellate District, with directions to vacate its order denying petitions for mandate and prohibition and to issue an order directing real party in interest to show cause before that court why the relief sought in the petition should not be granted.

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S139419

C051075 Third Appellate District

PUTMAN v. S.C. (PEOPLE)

Review granted; transferred to CA 3 to issue OSC

Petitioners' motions for judicial notice granted. Petitions for review in the above-entitled cases are GRANTED.

The cases are consolidated sub nom. *Stark, et al. v. Superior Court*, S139413. The matter is transferred to the Court of Appeal, Third Appellate District, with directions to vacate its order denying petitions for mandate and prohibition and to issue an order directing real party in interest to show cause before that court why the relief sought in the petition should not be granted.

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S139653

H029373 Sixth Appellate District

ODOM v. S.C. (PEOPLE)

Review granted; transferred to CA 6 to issue alt. writ

Petition for review GRANTED.

The matter is transferred to the Court of Appeal, Sixth Appellate District, with directions to vacate its order denying the petition for mandate and prohibition and to issue an alternative writ to be heard before that court when the proceeding is ordered on calendar. (See *People v. Hoffard* (1995) 10 Cal.4th 1170, 1178-1179; *People v. Holland* (1978) 23 Cal.3d 77, 84.)

Votes: George, C.J., Kennard, Baxter, Werdegarr, Moreno, and Corrigan, JJ.

S139675B187073 Second Appellate District,
Division One

PERRYMAN v. S.C. (PEOPLE)

Review granted; transferred to CA 2/1 to issue alt. writ

Petition for review GRANTED.

The matter is transferred to the Court of Appeal, Second Appellate District, Division One, with directions to vacate its order denying mandate and to issue an alternative writ to be heard before that court when the proceeding is ordered on calendar.

Votes: George, C.J., Kennard, Baxter, Werdegarr, Moreno, and Corrigan, JJ.

S139758B187161 Second Appellate District,
Division One

GASTON v. S.C. (PEOPLE)

Review granted; transferred to CA 2/1 to issue alt. writ

Petition for review GRANTED.

The matter is transferred to the Court of Appeal, Second Appellate District, Division One, with directions to vacate its order denying mandate and to issue an alternative writ to be heard before that court when the proceeding is ordered on calendar.

Votes: George, C.J., Kennard, Baxter, Werdegarr, Moreno, and Corrigan, JJ.

S139788

H029137 Sixth Appellate District

RAMOS (HUMBERTO) ON H.C.

Review granted; transferred to CA 6 to issue OSC

Petition for review GRANTED.

The matter is transferred to the Court of Appeal, Sixth Appellate District. That court is ordered to vacate its summary denial dated November 15, 2005, and is ordered to issue an order to show cause, returnable before the Santa Clara County Superior Court. The Director of the Department of Corrections and Rehabilitation is to be ordered to show cause, when the matter is placed on calendar, why petitioner is not entitled to relief based on the ineffective assistance of trial counsel, as alleged in the original petition for writ of habeas corpus filed in the Court of Appeal on August 5, 2005. The return is to be filed on or before March 24, 2006.

Votes: George, C.J., Kennard, Werdegar, Chin, Moreno, and Corrigan, JJ.

S139992B187600 Second Appellate District,
Division Two**SWISS REINSURANCE AMERICA****CORPORATION v. S.C. (GARAMENDI)**

Review granted; transferred to CA 2/2 to issue OSC

Petition for review is GRANTED.

The matter is transferred to the Court of Appeal, Second Appellate District, Division Two, with directions to vacate its order denying mandate and to issue an order to show cause why the relief sought should not be granted.

Corrigan, J., was recused and did not participate.

Votes: George, C.J., Kennard, Baxter, and Werdegar, JJ.

S129294

F044059 Fifth Appellate District

PEOPLE v. KENDRICK

Dismissed per rule 29.3(b), and remanded to CA 5

In light of the decision in *People v. Shelton*, S124503, review in the above-entitled matter is dismissed. (Cal. Rules of Court, rule 29.3(b).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S132016

B168269 Second Appellate District,
Division Six

PEOPLE v. CUEVAS

Transferred to CA 2/6 after hold

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division Six, with directions to vacate its decision and to reconsider the cause in light of *People v. Shelton*, S124503. (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S139197

B181988 Second Appellate District,
Division Three

HALL (RODNEY BERNARD) ON H.C.

Petition for review denied

S139243

F048946 Fifth Appellate District

MORTON (RON) ON H.C.

Petition for review denied

S139266

B187291 Second Appellate District,
Division Seven

OTTE (DEVIN) ON H.C.

Petition for review denied

S139279

B187314 Second Appellate District,
Division Seven

MORTON (RON) ON H.C.

Petition for review denied

S139302

E036541 Fourth Appellate District,
Division Two

PEOPLE v. KEENE

Petition for review denied

S139351

A111816 First Appellate District,
Division Five

DIAZ (HECTOR) ON H.C.

Petition for review denied

S139354

F044129 Fifth Appellate District

PEOPLE v. FABIAN

Petition for review denied

S139357

B171869 Second Appellate District,
Division One

PEOPLE v. KILLINGSWORTH

Petition for review denied

S139371

H028173 Sixth Appellate District

PEOPLE v. MAAS

Petition for review denied

S139372B168293 Second Appellate District,
Division Two

PEOPLE v. MILLER

Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S139394

H027162 Sixth Appellate District

PEOPLE v. TROGLIN

Petition for review denied

S139409E035481 Fourth Appellate District,
Division Two

PEOPLE v. SOLIZ

Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Cage*, S127344.

S139424B187309 Second Appellate District,
Division Two

WARTH (BRIAN) ON H.C.

Petition for review denied

S139426B184821 Second Appellate District,
Division Three

WILLIAMS (CHARLES E.) ON H.C.

Petition for review denied

S139431

H029506 Sixth Appellate District

MORGAN (LOREN) ON H.C.

Petition for review denied

S139462B176209 Second Appellate District,
Division Two

PEOPLE v. MARTINEZ

Petition for review denied

S139468

B187125 Second Appellate District,
Division Four

HALSELL v. S.C. (PEOPLE)

Petition for review denied

S139482

A111122 First Appellate District,
Division Two

WENG (DAVID) ON H.C.

Petition for review denied

S139503

B187319 Second Appellate District,
Division Seven

LAWSON (RAYMOND) ON H.C.

Petition for review denied

S139534

B154139 Second Appellate District,
Division Two

PEOPLE v. OLVERA et al.

Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S139540

B187099 Second Appellate District,
Division Six

BROWN (RICHARD) ON ERROR CORAM
VOBIS

Petition for review denied

S139544

E035729 Fourth Appellate District,
Division Two

PEOPLE v. SANBORN

Petition for review denied

S139548

C051172 Third Appellate District

BARRIES (ALLEN ARTHUR) ON H. C.

Petition for review denied

S139549

B187253 Second Appellate District,
Division One

BLEDSON (CARLOS) ON H.C.

Petition for review denied

S139558

A106682 First Appellate District,
Division Three

PEOPLE v. GARZA

Petition for review denied

Kennard and Moreno, JJ., are of the opinion the petition should be granted. Corrigan, J., was recused and did not participate.

S139567

E035485 Fourth Appellate District,
Division Two

PEOPLE v. GERARDO

Petition for review & publication request denied

S139569

D045634 Fourth Appellate District,
Division One

PEOPLE v. STANLEY

Petition for review denied

S139577

F047535 Fifth Appellate District

C. (JAIME), IN RE

Petition for review denied

S139580

D045103 Fourth Appellate District,
Division One

PEOPLE v. PATTERSON

Petition for review denied

Kennard and Moreno, JJ., are of the opinion the petition should be granted.

S139585

F046860 Fifth Appellate District

NEILSON v. CITY OF CALIFORNIA CITY

Petition for review denied

S139593

G034475 Fourth Appellate District,
Division Three

PEOPLE v. BALL

Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S139597

E035994 Fourth Appellate District,
Division Two

PEOPLE v. HESSEN

Petition for review denied

Kennard and Moreno, JJ., are of the opinion the petition should be granted.

S139602

G034640 Fourth Appellate District,
Division Three

RLH INDUSTRIES v. SBC

COMMUNICATIONS, INC. et al.

Petition for review denied

S139624

B170281 Second Appellate District,
Division Three

PEOPLE v. PALMER

Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S139667

D047194 Fourth Appellate District,
Division One

RAMSEY (TERRY) ON H.C.

Petition for review denied

S139687

B177829 Second Appellate District,
Division Four

PEOPLE v. MENEFE

Petition for review denied

S139691

B187482 Second Appellate District,
Division Five

OBANDO (RENATO) ON H.C.

Petition for review denied

S139711

A111989 First Appellate District,
Division One

WHITAKER v. WALGREEN COMPANY

Petition for review denied

S139720

A111988 First Appellate District,
Division Three

WHITAKER v. SMART & FINAL STORES
CORPORATION

Petition for review denied

S139723

A111956 First Appellate District,
Division Five

WHITAKER v. SAFEWAY, INC.

Petition for review denied

S139724

A111976 First Appellate District,
Division Five

WHITAKER v. ALBERTSONS, INC.

Petition for review denied

S139731

A112166 First Appellate District,
Division Three

MORRIS v. WCAB et al.

Petition for review denied

S139733

A104987 First Appellate District,
Division Two

PEOPLE v. ORTEGA

Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S139735

C045254 Third Appellate District

PEOPLE v. YANG

Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S139739E039372 Fourth Appellate District,
Division Two

MORENO (JOHN) ON H.C.

Petition for review denied

S139761B187487 Second Appellate District,
Division Five

ZARAGOZA (JAVIER) ON H.C.

Petition for review denied

S139773B178497 Second Appellate District,
Division Seven

PEOPLE v. WILSON

Petition for review denied

S139781

H029562 Sixth Appellate District

SCHEURICH (FRANK R.) ON H.C.

Petition for review denied

S139783B174531 Second Appellate District,
Division Four

PEOPLE v. JAFFE

Petition for review denied

S139792B176019 Second Appellate District,
Division Two

PEOPLE v. ROBBINS

Petition for review denied

S139798E035858 Fourth Appellate District,
Division Two

PEOPLE v. CERVANTES

Petition for review denied

S139802

E036668 Fourth Appellate District,
Division Two

PEOPLE v. PYNN

Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S139833

C047166 Third Appellate District

PEOPLE v. SMITH

Petition for review denied

S139837

B176194 Second Appellate District,
Division Seven

PEOPLE v. HARRIS

Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S139841

E036117 Fourth Appellate District,
Division Two

PEOPLE v. REYNOLDS

Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S139866

B177854 Second Appellate District,
Division Seven

PEOPLE v. MEDINA

Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S139892

B174308 Second Appellate District,
Division Four

PEOPLE v. MOLINA

Petition for review denied

S139956

H028339 Sixth Appellate District

PEOPLE v. GALLEGOS

Petition for review denied

S139977

F045255 Fifth Appellate District

PEOPLE v. CASTRO

Petition for review denied

S139984

B175866 Second Appellate District,
Division Seven

PEOPLE v. HERNANDEZ

Petition for review denied

S139997

D044348 Fourth Appellate District,
Division One

MARTINEZ v. FIRE INSURANCE
EXCHANGE

Petition for review & publication request denied

S139999

B181198 Second Appellate District,
Division Two

UNIVERSAL BANNER NETWORK, INC. v.
ZELL et al.

Petition for review & publication request denied

S140014

E037988 Fourth Appellate District,
Division Two

L. (P.), IN RE

Petition for review denied

S140053

G034551 Fourth Appellate District,
Division Three

EVANS (KIRK S.) v. CENTERSTONE
DEVELOPMENT COMPANY

Petition for review denied

S140058WAIER v. CA 4/3 (CENTERSTONE DEVELOPMENT
COMPANY)

Petition for writ of mandate denied

S140067B187799 Second Appellate District,
Division Six

ALVARADO v. S.C. (PEOPLE)

Petition for review denied

S140074A111967 First Appellate District,
Division Two

LONDON (RICHARD) ON H.C.

Petition for review denied

S140099B178675 Second Appellate District,
Division One

TASCHEN, MARRIAGE OF

Petition for review denied

S140119A109235 First Appellate District,
Division One

F. (SIMON), IN RE

Petition for review denied

S140121B176555 Second Appellate District,
Division SevenMORRIS-GAF (UMASIA) v. CITY OF LOS
ANGELES et al.

Petition for review denied

S140122

F046934 Fifth Appellate District

PEOPLE v. SHINE

Petition for review denied

S140127E038222 Fourth Appellate District,
Division Two

PEOPLE v. RATCLIFF

Petition for review denied

S140136

B178049 Second Appellate District,
B184785 Division Four

PEOPLE v. MICHAEL

Petition for review denied

Petition for review denied without prejudice or any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S140138

C046744 Third Appellate District

CLAUDIO v. U.C. REGENTS

Petition for review denied

S140156

B175408 Second Appellate District,
Division One

STEPHEN (CHERYL L.) v. FORD MOTOR
COMPANY, et al.

Petition for review denied

S140167

F046285 Fifth Appellate District

PEOPLE v. WIELANDT

Petition for review denied

S140179

B170330 Second Appellate District,
Division Eight

PEOPLE v. ACOSTA

Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S140182

C044900 Third Appellate District

PEOPLE v. CHAVEZ

Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S140189

G034625 Fourth Appellate District,
Division Three

PEOPLE v. PHAM

Petition for review denied

S140191

F046143 Fifth Appellate District

PEOPLE v. OLVERA

Petition for review denied

S140195

F045576 Fifth Appellate District

PEOPLE v. ROMERO

Petition for review denied

S140204

H028002 Sixth Appellate District

SOLARTE v. WASHINGTON MUTUAL
BANK et al.

Petition for review denied

S140207

F045069 Fifth Appellate District

PEOPLE v. ORTIZ

Petition for review denied

S140209

F046148 Fifth Appellate District

PEOPLE v. GODINEZ

Petition for review denied

S140216

B180714 Second Appellate District,
Division Eight

ZWIRN v. SCHWEIZER

Petition for review denied

S140218

E037225 Fourth Appellate District,
Division Two

PEOPLE v. HYSON-BANKS et al.

Petition for review denied

S140219

B174283 Second Appellate District,
Division Eight

PEOPLE v. REYNOSO

Petition for review denied

S140221

B181737 Second Appellate District,
Division Seven

PEOPLE v. ALLEN

Petition for review denied

S140223

A108208 First Appellate District,
Division Two

PEOPLE v. GARCIA

Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S140225

B183525 Second Appellate District,
Division Four

LONG BEACH UNIFIED SCHOOL DISTRICT
v. S.C. (W.G.)

Petition for review & publication request denied

S140236

B179760 Second Appellate District,
Division Six

PEOPLE v. SILGUERO et al.

Petitions for review denied

S140238

C048225 Third Appellate District

PEOPLE v. SCHRUBB

Petitions for review denied

S140242

B180796 Second Appellate District,
Division Seven

PEOPLE v. BANALES

Petitions for review denied

S140245

F043931 Fifth Appellate District

PEREZ v. FIRE INSURANCE EXCHANGE

Petitions for review denied

S140246

A108660 First Appellate District,
Division Three

MCMILLAN v. GAVRILOFF

Petition for review denied

Corrigan, J., was recused and did not participate.

S140247

G033659 Fourth Appellate District,
Division Three

PEOPLE v. YANG

Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S140252

B181628 Second Appellate District,
Division Eight

PEOPLE v. BEAVERS

Petition for review denied

S140254

C046818 Third Appellate District

PEOPLE v. WHITEHORN

Petition for review denied

S140255

G035057 Fourth Appellate District,
Division Three

PEOPLE v. ORDAZ

Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S140256

B181404 Second Appellate District,
Division Eight

PEOPLE v. BANNER

Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S140257

B174895 Second Appellate District,
Division Eight

PEOPLE v. STEVENSON

Petition for review denied

S140261

A107128 First Appellate District,
Division Two

HEALTH NET, INC., AFFILIATES v.
STANFORD UNIVERSITY HOSPITAL &
STANFORD HOSPITAL & CLINICS HOSPITAL
Petition for review denied

S140264

A111712 First Appellate District,
Division Five

AL-HAKIM (ABDUL-JALIL) v. CALIFORNIA
STATE AUTOMOBILE ASSOCIATION
Petition for review denied

S140266

B184664 Second Appellate District,
Division Three

VALLEJOS v. STRATEGIC PARTNERS
Petition for review denied

S140269

G035200 Fourth Appellate District,
Division Three

EMTIAZ (FARIBA) v. MANIGHALAM
(SHAHRAM)
Petition for review denied

S140271

G034421 Fourth Appellate District,
Division Three

PEOPLE v. PORTE
Petition for review denied

S140274

F046937 Fifth Appellate District

PEOPLE v. CREAMER
Petition for review denied

S140280

C048496 Third Appellate District

PEOPLE v. NELSON
Petition for review denied

Petition for review denied without prejudice to
any relief to which defendant might be entitled
after the United States Supreme Court
determines in *Cunningham v. California*, No.
05-6551, the effect of *Blakely v. Washington*
(2004) 542 U.S. 296 and *United States v. Booker*
(2005) 543 U.S. 220, on California law.

S140284

D044603 Fourth Appellate District,
Division One

PEOPLE v. CASTRO
Petition for review denied

S140285

C047202 Third Appellate District

WICHMANN (JEFFREY) v. MENDOZA
(JOANNA R.)

Petition for review denied

S140286B173772 Second Appellate District,
Division One

PEOPLE v. T. (TYRONE)

Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S140287

C046682 Third Appellate District

PEOPLE v. CZUB

Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S140291A105551 First Appellate District,
Division TwoEINHEBER (JACK) v. REGENTS OF
UNIVERSITY OF CALIFORNIA et al.
Petition for review denied**S140295**

H028327 Sixth Appellate District

HUDSON (J.A.) v. HAZARI (CYRUS)

Petition for review denied

S140299G034755 Fourth Appellate District,
Division Three

PEOPLE v. BRAR

Petition for review denied

S140302B176757 Second Appellate District,
Division Six

LEE v. FICK

Petition for review denied

S140304

B172863 Second Appellate District,
Division Two

NORTHROP GRUMMAN v. COUNTY OF
LOS ANGELES

Petition for review denied

S140305

A108868 First Appellate District,
Division Five

PEOPLE v. CROWTHER

Petition for review denied

S140306

F046584 Fifth Appellate District,
F046586

ROCHA (SALLY) v. CENTRAL VALLEY RV
OUTLET, INC.

Petition for review denied

Baxter, J., was recused and did not participate.

S140307

C049142 Third Appellate District

HILLAN (JOHN E.) v. DOBBINS (ALICE D.)

Petition for review denied

S140310

G035955 Fourth Appellate District,
Division Three

FEDERICO v. ORANGE, COUNTY OF

Petition for review denied

S140314

E037314 Fourth Appellate District,
Division Two

FLEETWOOD ENTERPRISES, INC. v. WCAB
et al.

Petition for review denied

S140315

B180844 Second Appellate District,
Division Eight

PEOPLE v. BAKER

Petition for review denied

S140316

C045754 Third Appellate District

WILD GOOSE STORAGE, INC. v.
ROSEVILLE LAND DEVELOPMENT ASSOC.

Petition for review denied

S140318

B177122 Second Appellate District,
Division Four

CHEZEK v. ARAMARK UNIFORM &
CAREER APPAREL, INC.

Petition for review denied

S140319

B177835 Second Appellate District,

PEOPLE v. SANTOS

Petition for review denied

Division Eight

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S140320

B188088 Second Appellate District,
Division Two

MEAD v. S.C. (PEOPLE)

Petition for review denied

S140321

A109362 First Appellate District,
Division Four

PEOPLE v. GREEN

Petition for review denied

S140324

B184853 Second Appellate District,
Division Seven

CITY OF LOS ANGELES v. WCAB (BARRETT)

Petition for review denied

S140327

A111949 First Appellate District,
Division Two

WALKER v. S.C. (BOARD OF PAROLE
HEARINGS)

Petition for review denied

S140328

B179698 Second Appellate District,
Division Two

PEOPLE v. TRAFFICANO

Petition for review denied

S140329

D045481 Fourth Appellate District,
Division One

BLACK HISTORICAL SOCIETY v. (CITY OF SAN
DIEGO) WAKELAND HOUSING & DEV. et al.

Petition for review and application for stay denied

S140333

B179889 Second Appellate District,
Division Six

PEOPLE v. MORALES

Petition for review denied

S140342

E037257 Fourth Appellate District,
Division Two

PEOPLE v. WARREN

Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S140343

E036373 Fourth Appellate District,
Division Two

PEOPLE v. OSORIO

Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S140349

D045066 Fourth Appellate District,
Division One

PEOPLE v. AVITIA

Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S140355

E036753 Fourth Appellate District,
Division Two

PEOPLE v. ARMSTRONG

Petition for review denied

S140360

H027972 Sixth Appellate District

PEOPLE v. BURGESS

Petition for review denied

S140361

A111593 First Appellate District,
Division Three

ROSS STORES v. S.C. (GROVES) et al.

Petition for review and application for stay denied

S140368

F046816 Fifth Appellate District

PEOPLE v. CLEMENTS

Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S140381B177558 Second Appellate District,
Division SevenAGNEW v. STATE BOARD OF
EQUALIZATION

Petition for review denied

S140382A108007 First Appellate District,
Division FiveSEA KNOT CONSTRUCTION COMPANY,
INC. v. CONTRI CONSTRUCTION
COMPANY et al.

Petition for review denied

S140383

F046000 Fifth Appellate District

PEOPLE v. VAUGHN

Petition for review denied

S140384B185566 Second Appellate District,
Division Six

GARCIA v. WCAB et al.

Petition for review denied

S140386

F046550 Fifth Appellate District

GOVERNMENT EMPLOYEES INSURANCE
COMPANY v. SHAMBOURGER (ERIC) et al.

Petition for review denied

Baxter, J., was recused and did not participate.

S140387B177484 Second Appellate District,
Division SevenPINNER CONSTRUCTION CO., INC. v. LOS
ANGELES USCD (BERNARDS BROS., INC.)

Petition for review denied

S140390

E037645 Fourth Appellate District,
Division Two

PEOPLE v. DESHAZO

Petition for review denied

S140393

D045250 Fourth Appellate District,
Division One

GREEN (RANDALL) v. BOEHRIG (JULIE A.)

Petition for review denied

S140395

H027448 Sixth Appellate District

PEOPLE v. AIROSO

Petition for review denied

S140400

G034722 Fourth Appellate District,
Division Three

PEOPLE v. PORTILLO

Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S140401

B175857 Second Appellate District,
Division Six

MCDONELL (BRUCE) et al. v. CITY OF SAN

BUENAVENTURA et al.

Petition for review denied

S140402

F047268 Fifth Appellate District

PEOPLE v. GUERRERO

Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S140404

B180820 Second Appellate District,
Division Five

PEOPLE v. KING

Petition for review denied

S140407

PEOPLE v. ALLEN

B174223 Second Appellate District,
Division Seven

Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S140408
H027200 Sixth Appellate District

SFERS REAL ESTATE CORP. v. IMPRESS
2000, INC.
Petition for review denied

S140420
H026954 Sixth Appellate District

BUDGET RENT A CAR CORPORATION v.
WILLIAMS (JOHN R.)
Petition for review denied

S140429
H028731 Sixth Appellate District

PEOPLE v. CUELLAR
Petition for review denied

S140433
B168810 Second Appellate District,
Division Eight

PEOPLE v. LIDDELL
Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S140436
E036694 Fourth Appellate District,
Division Two

PEOPLE v. SEEVERS
Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S140439

B182679 Second Appellate District,
Division One

JESUS P., IN RE

Petition for review denied

S140445

B181252 Second Appellate District
Division Six

HARRISON v. RETIREMENT BOARD OF
THE SANTA BARBARA COUNTY
EMPLOYEES RETIREMENT SYSTEM
Petition for review denied

S140446

A106172 First Appellate District,
Division Five

PEOPLE v. GRICE

Petition for review denied

S140448

B188038 Second Appellate District,
Division One

CLARK v. APPELLATE DIVISION OF S.C.
(OSTERKAMP)
Petition for review denied

Request for judicial notice granted.

S140449

D044839 Fourth Appellate District,
Division One

PEOPLE v. DAVIDSON
Petition for review denied

S140450

C051486 Third Appellate District

SHINGLE SPRINGS BAND OF MIWOK
INDIANS et al. v. S.C. (QUEEN)
Petition for review and application for stay denied

S140452

A107694 First Appellate District,
Division Three

PEOPLE v. GARCIA

Petition for review denied

Corrigan, J., was recused and did not participate.

S140453

A108491 First Appellate District,
A110737 Division Two

PEOPLE v. WHITE

Petition for review denied

S140455

D044619 Fourth Appellate District,
D045434 Division One

GODDING et al. v. DEFENSE WEB
TECHNOLOGIES, INC. et al.

S140456

D047466 Fourth Appellate District,
Division One

DIA v. S.C. (MIRABILE)
Petition for review denied

S140470

C047740 Third Appellate District

M. (FLOYD), IN RE
Petition for review denied

S140476

A103918 First Appellate District,
A107357 Division Two

PEOPLE v. MANING
Petition for review denied

S140478

H027476 Sixth Appellate District

FEITELBERG (JEROME) v. CREDIT SUISSE
FIRST BOSTON, LLC et al.
Petition for review denied

Werdegar, J., was recused and did not
participate.

S140485

B178263 Second Appellate District,
Division Seven

PEOPLE v. HUDSON
Petition for review denied

S140496

D045113 Fourth Appellate District,
Division One

PEOPLE v. BATES
Petition for review denied

S140501

H029489 Sixth Appellate District

JOHNSON v. S.C. (PEOPLE)
Petition for review and application for stay denied

S140505

E037520 Fourth Appellate District,
Division Two

PEOPLE v. REYNOLDS
Petition for review denied

S140506

B175275 Second Appellate District,
Division Eight

PEOPLE v. SMITH

Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S140508

B179258 Second Appellate District,
Division Five

PEOPLE v. CONTRERAS

Petition for review denied

S140511

E037244 Fourth Appellate District,
Division Two

MOSLEY et al. v. SAN BERNARDINO CITY
UNIFIED SCHOOL

Petition for review & depublication request denied

S140524

F046307 Fifth Appellate District

PEOPLE v. TURNER

Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S140526

A103410 First Appellate District,
A108912 Division Two

PEOPLE v. MORRIS

Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S140528

E036262 Fourth Appellate District,
Division Two

PEOPLE v. SANCHEZ

Petition for review denied

S140530

A112486 First Appellate District,
Division Five

RUNGE (CORY D.) ON H.C.

Petition for review denied

S140531

H027710 Sixth Appellate District

PEOPLE v. HILL

Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S140532

B178096 Second Appellate District
Division Six

SPOONER (NATHAN B.) v. CITY OF
GROVER BEACH

Petition for review denied

S140534

B165580 Second Appellate District,
Division Seven

PEOPLE v. JUAREZ

Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S140540

F048091 Fifth Appellate District

PEOPLE v. VELASCO

Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S140545A109084 First Appellate District,
Division Two

PEOPLE v. LEARN

Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S140546B187874 Second Appellate District,
Division Four

NORTMAN (BETTY) v. HEARN (LORIE)

Petition for review denied

Request for judicial notice denied.

S140548

B181277 Second Appellate District

MAZZA (ROSSEANNE) v. COUNTY OF LOS
ANGELES et al.

Petition for review denied

S140553G033829 Fourth Appellate District,
Division Three

PEOPLE v. JENNINGS et al.

Petition for review denied

S140600B185066 Second Appellate District,
Division EightCONNECTING POINT INTERNATIONAL,
INC. v. WCAB et al.

Petition for review denied

S140604

F045879 Fifth Appellate District

PEOPLE v. LOPEZ

Petition for review denied

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S140607B175031 Second Appellate District,
Division Seven

B. (CHRISTINA), IN RE

Petition for review denied

S140608G036267 Fourth Appellate District,
Division ThreeDENTON v. S.C. (FIRESTONE FINANCIAL
CORPORATION

Petition for review denied

S140610G036266 Fourth Appellate District,
Division ThreeTCBL CORPORATION v. S.C. (FIRESTONE
FINANCIAL CORPORATION) et al.

Petition for review denied

S140625A106274 First Appellate District,
Division Two

PEOPLE v. NEWTON

Petition for review denied

Moreno, J., was recused and did not participate.

S140626B171429 Second Appellate District,
Division Five

PEOPLE v. LOPEZ

Petition for review denied

S140627B180707 Second Appellate District
Division SevenCAFFRAY (DONALD B.) v. CITY OF LONG
BEACH

Petition for review denied

S140638G036265 Fourth Appellate District,
Division ThreeTEXAS CENTRAL BUSINESS LINES
CORPORATION v. S.C. (FIRESTONE
FINANCIAL CORPORATION) et al

Petition for review denied

S140657

G036264 Fourth Appellate District,
Division Three

MIDTEXAS INTERNATIONAL CENTER,
INC. v. S.C. (FIRESTONE FINANCIAL
CORP.) et al.

Petition for review denied

S140726

A112509 First Appellate District,
Division Two

DUNCAN v. S.C. (PEOPLE)

Petition for review and application for stay
denied

S140993

B187924 Second Appellate District,
Division Four

SERRANO v. S.C. (PEOPLE)

Petition for review and application for stay
denied

S128993

MARTINEZ (LUIS ALBERTO) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S129046

VASQUEZ (PHILLIP) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780;
In re Waltreus (1965) 62 Cal.2d 218; *In re
Dixon* (1953) 41 Cal.2d 756.)

S129096

BLUNT (DANIEL A.) ON H.C.

Petition for writ of habeas corpus denied

Baxter, J., was recused and did not participate.

S129297

JOHNSON III (WILLIAM J.) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780;
In re Clark (1993) 5 Cal.4th 750; *In re Swain*
(1949) 34 Cal.2d 300, 304; *People v. Duvall*
(1995) 9 Cal.4th 464, 474.)

S129402

CASTILLO (ALFONSO) ON H.C.
Petition for writ of habeas corpus denied

(See *People v. Duvall* (1995) 9 Cal.4th 464, 474;
In re Swain (1949) 34 Cal.2d 300, 304.)

S129539

WILLIAMS (JOHNNY) ON H.C.
Petition for writ of habeas corpus denied

S129554

SCOTT (DANE) ON H.C.
Petition for writ of habeas corpus denied

S129692

KEMP (ERIC SHAWN) ON H.C.
Petition for writ of habeas corpus denied

S129768

GRIFFIN (LELAND) ON H.C.
Petition for writ of habeas corpus denied

S129781

MCCOY (DA VON) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780;
In re Clark (1993) 5 Cal.4th 750; *In re Waltreus*
(1965) 62 Cal.2d 218; *In re Miller* (1941) 17
Cal.2d 734; *In re Swain* (1949) 34 Cal.2d 300,
304; *People v. Duvall* (1995) 9 Cal.4th 464, 474;
People v. Pompa-Ortiz (1980) 27 Cal.3d 519; *In*
re Dixon (1953) 41 Cal.2d 756.)

S129787

NGUYEN (TIN) ON H.C.
Petition for writ of habeas corpus denied

S129791

BURKE (TERRANCE JAMES) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780;
In re Dixon (1953) 41 Cal.2d 756.)

S129795

NEALE (JOSEPH LOUIS) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304;
People v. Duvall (1995) 9 Cal.4th 464, 474; *In re Waltreus* (1965) 62 Cal.2d 218; *In re Dixon* (1953) 41 Cal.2d 756.)

S129796

RANGEL (RODRIGO) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780;
In re Swain (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S129933

GANT (LAMAR) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780;
In re Clark (1993) 5 Cal.4th 750; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S129934

CONNELL (WALTER W.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780;
In re Clark (1993) 5 Cal.4th 750; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S129962

THOMAS (CURTIS D.) ON H.C.
Petition for writ of habeas corpus denied

S129973

CONTRERAS (FRANCISCO) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780;
In re Clark (1993) 5 Cal.4th 750.)

S131008

KEMP (ERIC SHAWN) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Dixon* (1953) 41 Cal.2d 756.)

S131038

LYTLE (JERRY W.) ON H.C.
Petition for writ of habeas corpus denied

S131272

DEL MORAL (GERALDO) ON H.C.
Petition for writ of habeas corpus denied

S131379

JACKSON (RAYMOND) ON H.C.
Petition for writ of habeas corpus denied

S131521

HERNANDEZ (JOSE) ON H.C.
Petition for writ of habeas corpus denied

S131561

LARSON (SCOTT) ON H.C.
Petition for writ of habeas corpus denied

S131821

HAYNES (HERMAN T.) ON H.C.
Petition for writ of habeas corpus denied

S131953

LOPEZ (MANUEL) ON H.C.
Petition for writ of habeas corpus denied

S131956

JENKINS (KEELON) ON H.C.
Petition for writ of habeas corpus denied

Corrigan, J., was recused and did not participate.

S131964

GAMEZ (SERGIO A.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Dexter* (1979) 25 Cal.3d 921.)

S132056

GOODEN (ELIAS) ON H.C.
Petition for writ of habeas corpus denied

S132060

HENDERSON (JAKE) ON H.C.
Petition for writ of habeas corpus denied

S132071

MARTINEZ (ARMANDO) ON H.C.
Petition for writ of habeas corpus denied

Petition for writ of habeas corpus is denied on
the merits.

S132077

LYNOTT (CHRISTOPHER J.) ON H.C.
Petition for writ of habeas corpus denied

S132129

HENDERSON (MARCUS LEE) ON H.C.
Petition for writ of habeas corpus denied

S132146

LOPEZ (ALFREDO F.) ON H.C.
Petition for writ of habeas corpus denied

S132208

ANDERSON (DION) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780;
In re Waltreus (1965) 62 Cal.2d 218; *In re*
Lindley (1947) 29 Cal.2d 709; *In re Seaton*
(2004) 34 Cal.4th 193.)

S132230

STOKELY (ROGER) ON H.C.
Petition for writ of habeas corpus denied

(See *People v. Duvall* (1995) 9 Cal.4th 464, 474;
In re Dexter (1979) 25 Cal.3d 921.)

S132240

SCOTT (DANE M.) ON H.C.
Petition for writ of habeas corpus denied

S132340SIMAS (CHRISTOPHER L.) ON H.C.
Petition for writ of habeas corpus denied**S132368**OROZCO (JOHNNY) ON H.C.
Petition for writ of habeas corpus denied**S132403**OWENS (TERRY) ON H.C.
Petition for writ of habeas corpus denied**S132419**MCGEE (KENDLE) ON H.C.
Petition for writ of habeas corpus denied**S132423**SIMON (DONNELL) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756; *In re Waltreus* (1965) 62 Cal.2d 218.)

S132424COLLINS (DARRYL LAMAR) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S132426BECERRA (ENRIQUE R.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S132437RHODES (CHAD) ON H.C.
Petition for writ of habeas corpus denied**S132473**WALLACE (CALVIN) ON H.C.
Petition for writ of habeas corpus denied

S132485

SALLEE (RONALD J.) ON H.C.
Petition for writ of habeas corpus denied

S132486

POUCHER (GARY) ON H.C.
Petition for writ of habeas corpus denied

S132487

GONZALEZ (ARMANDO) ON H.C.
Petition for writ of habeas corpus denied

S132510

CRUZ (JOSE) ON H.C.
Petition for writ of habeas corpus denied

S132511

MAGEE (RUCHELL C.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304;
People v. Duvall (1995) 9 Cal.4th 464, 474.)

S132517

MARTIN (ROBERT) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S132524

PRESTON (ROBERT) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S132531

MUNOZ (LOUIE) ON H.C.
Petition for writ of habeas corpus denied

S132535

SIMMONS (DONELL) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S132540

BOWLIN II (GARY C.) ON H.C.
Petition for writ of habeas corpus denied

S132544

FOLEY (TRACY) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S132547

TOWNSEND (ERIK) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Lindley* (1947) 29 Cal.2d 709; *In re Dixon* (1953) 41 Cal.2d 756.)

S132552

SHIN (BRIAN) ON H.C.
Petition for writ of habeas corpus denied

S132557

ELDRIDGE (WILLIAM M.) ON H.C.
Petition for writ of habeas corpus denied

S132567

WATSON (LAWRENCE J.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S132589

TOLENTINO (CARLOS) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S132613

POPE (ANTHONY L.) ON H.C.
Petition for writ of habeas corpus denied

S132614

POARCH (GREGORY R.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S132703

PEEVY (KEVIN) ON H.C.
Petition for writ of habeas corpus denied

S132707

DUARTE (ERIC) ON H.C.
Petition for writ of habeas corpus denied

S132710

TAYLOR (MICHAEL D.) ON H.C.
Petition for writ of habeas corpus denied

S132720

HARTLEY (DAVID L.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750.)

S132828

NELMS (JAMES HUGH) ON H.C.
Petition for writ of habeas corpus denied

S132883

POPE (ANTHONY L.) ON H.C.
Petition for writ of habeas corpus denied

S133267

POPE (ANTHONY L.) ON H.C.
Petition for writ of habeas corpus denied

S133499

HARTLEY (DAVID L.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Waltreus* (1965) 62 Cal.2d 218.)

S134328

HILLMON (CARLTON) ON H.C.
Petition for writ of habeas corpus denied

S134437

BIRL (RAMON) ON H.C.

Petition for writ of habeas corpus denied

(See *People v. Duvall* (1995) 9 Cal.4th 464, 474;
In re Rosenkrantz (2002) 29 Cal.4th 616, 658,
683-686.)

S134445

MCCRAY (SABU) ON H.C.

Petition for writ of habeas corpus denied

(See *People v. Duvall* (1995) 9 Cal.4th 464, 474;
In re Dannenberg (2005) 34 Cal.4th 1061, 1084,
1097-1098.)

S134567

KELLAM (VINCENT) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Dexter* (1979) 25 Cal.3d 921; *In re*
Robbins (1998) 18 Cal.4th 770, 780.)

S134817

ROBINSON (KEVIN) ON H.C.

Petition for writ of habeas corpus denied

(See *People v. Duvall* (1995) 9 Cal.4th 464, 474;
In re Miller (1941) 17 Cal.2d 734, 735; *In re*
Rosenkrantz (2002) 29 Cal.4th 616, 658, 682-
686; *In re Dannenberg* (2005) 34 Cal.4th 1061,
1084, 1097.)

S134911

CARROLL (CHRISTOPHER L.) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Rosenkrantz* (2002) 29 Cal.4th 616,
654, 682; *In re Dannenberg* (2005) 34 Cal.4th
1061, 1084.)

S134930

FUCCI (RONALD G.) ON H.C.

Petition for writ of habeas corpus denied

(*People v. Duvall* (1995) 9 Cal.4th 464, 474; *In*
re Dannenberg (2005) 34 Cal.4th 1061, 1084,
1087; *In re Rosenkrantz* (2002) 29 Cal.4th 616,
658.)

S134944

BARRERO (RICHARD) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Dexter* (1979) 25 Cal.3d 921.)

S135044

HILLMON (CARLTON) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Rosenkrantz* (2002) 29 Cal.4th 616; *In re Dannenberg* (2005) 34 Cal.4th 1061.)

S135219

SANCHEZ (ENRIQUE Z.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Alvernaz* (1992) 2 Cal.4th 924, 945; *In re Resendiz* (2001) 25 Cal.4th 230, 253-254.)

S135259

WARREN (CARMON) ON H.C.
Petition for writ of habeas corpus denied

S135457

BAILEY (THOMAS) ON H.C.
Petition for writ of habeas corpus denied

S136942

HALL (VINCENT) ON H.C.
Petition for writ of habeas corpus denied

S137649

PATTON (MICHAEL) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S139018

THOMAS (KELSEY) ON H.C.
Petition for writ of habeas corpus denied

(See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dexter* (1979) 25 Cal.3d 921.)

S139218

CARDENAS (FERMIN) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304;
People v. Duvall (1995) 9 Cal.4th 464, 474.)

S139700

KRATZER (ERIC LYNN) ON H.C.
Petition for writ of habeas corpus denied

S140083

PRASAD (CECIL) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Alvernaz* (1992) 2 Cal.4th 924, 945;
In re Resendiz (2001) 25 Cal.4th 230, 253-254.)

S140107

MIRAMONTES (RODOLFO) ON H.C.
Petition for writ of habeas corpus denied

S140523

SHANES (ALLEN D.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Dexter* (1979) 25 Cal.3d 921.)

S140550

EGGERT (ALBERT ALFRED) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Waltreus* (1965) 62 Cal.2d 218; *In re Lindley* (1947) 29 Cal.2d 709.)

S140558

BONGARD (MATT) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Dexter* (1979) 25 Cal.3d 921.)

S140567

RAYMOND II (LYNN) ON H.C.
Petition for writ of habeas corpus denied

S140601

ST. ANDRE (TED) ON H.C.
Petition for writ of habeas corpus denied

S140642

RODRIGUEZ-MACIAS (ENRIQUE) ON H.C.
Petition for writ of habeas corpus denied

S140668ROMERO (JOSE DAVID) ON H.C.
Petition for writ of habeas corpus denied**S140683**TIMMONS (RODERICK) ON H.C.
Petition for writ of habeas corpus denied**S140703**THURMAN (ANDRE) ON H.C.
Petition for writ of habeas corpus denied**S140716**JACOBSON (DAVID W.) ON H.C.
Petition for writ of habeas corpus denied**S140763**SCOFIELD (TODD ALAN) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Wessley W.* (1981) 125 Cal.App.3d 240, 246; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S140764MARTINEZ (VLADIMIR G.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S140826STROUD (JABBAR L.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Waltreus* (1965) 62 Cal.2d 218.)

S140859BRYANT III (ALEX) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734.)

S140882WASHINGTON (RODERICK) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Dexter* (1979) 25 Cal.3d 921; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S140954

RODRIGUEZ (CHARLIE) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S140984

DELK (MARK) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

Baxter, J., was recused and did not participate.

S139952

A106106 First Appellate District,
Division Three

WEST v. TAYLOR & GOINS, LLP et al.
Publication request denied (case closed)

Corrigan, J., was recused and did not participate.

S139988

B179017 Second Appellate District,
Division Six

CARO (XAVIER) v. STATE FARM
INSURANCE COMPANIES
Publication request denied (case closed)

Chin, J., was recused and did not participate.

S140132

B177637 Second Appellate District
Division Three

GONZALEZ (MARTHA J.) v. ROADWAY
EXPRESS, INC. et al.
Publication request denied (case closed)

S140139

E036892 Fourth Appellate District,
Division Two

SILVER LAKES ASSOCIATION v. DUNN
(CHARLINDA L.)
Publication request denied (case closed)

S140313

D045035 Fourth Appellate District,
Division One

CARMEL VALLEY LLC v. RFS
PARTNERSHIP LP et al.
Publication request denied (case closed)

S141062D046013 Fourth Appellate District,
Division One

A. (EDDIE), IN RE

Publication request denied (case closed)

S030402

PEOPLE v. TULLY (RICHARD C.)

Extension of time granted

to April 18, 2006, to file respondent's brief. After that date, only four further extensions totaling about 220 additional days will be granted. Extension is granted based upon Deputy Attorney General Margo V. Yu's representation that she anticipates filing that brief by November 30, 2006.

S045696

PEOPLE v. GARCIA (RANDY E.)

Extension of time granted

to April 18, 2006, to file appellant's opening brief.

S047868

PEOPLE v. GEORGE (JOHNATON S.)

Extension of time granted

to March 7, 2006, to file appellant's opening brief. Extension is based upon counsel Bruce Eric Cohen's representation that he anticipates filing that brief by March 7, 2006. After that date, no further extension will be granted.

S050082

PEOPLE v. GEIER (CHRISTOPHER A.)

Extension of time granted

to April 21, 2006, to file appellant's reply brief. After that date, no further extension will be granted. Extension is granted based upon Chief Deputy State Public Defender Barry P. Helft's representation that he anticipates filing that brief by April 21, 2006.

S061026

PEOPLE v. MCCURDY (GENE E.)

Extension of time granted

to April 5, 2006, to file appellant's opening brief. Extension is granted based upon State Public Defender Gary D. Garcia's representation that he anticipates filing that brief by April 5, 2006. After that date, no further extension will be granted.

S070536

PEOPLE v. MACIEL (LUIS)

Extension of time granted

to April 24, 2006, to file appellant's opening brief. After that date, only four further extensions totaling about 240 additional days will be granted. Extension is granted based upon counsel Melissa Hill's representation that she anticipates filing that brief by December 15, 2006.

S075616

PEOPLE v. GONZALES & SOLIZ

Extension of time granted

to April 14, 2006, to file appellant's opening brief. After that date, only one further extension totaling about 60 additional days will be granted. Extension is granted based upon Supervising Deputy Attorney General Steven D. Matthews's representation that he anticipates filing that brief by June 14, 2006.

S129852

B166937 Fifth Appellate District

PEOPLE v. GILES

Extension of time granted

on application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's reply brief on the merits is hereby extended to and including March 20, 2006.

S130762

HARRISON (CEDRIC) ON H.C.

Extension of time granted

to April 17, 2006, to file the reply to the informal response to the petition for writ of habeas corpus. After that date, only five further extensions totaling about 270 additional days will be granted. Extension is granted based upon counsel Jean R. Sternberg's representation that she anticipates filing that document by January 17, 2007.

S136154B173281 Second Appellate District,
Division Five

ANGELUCCI v. CENTURY SUPPER CLUB

Extension of time granted

to April 5, 2006, to file the reply brief.

S137055B169140 Second Appellate District,
Division Two

PEOPLE v. MEDINA

Extension of time granted

to March 20, 2006, for appellant to file the opening brief on the merits. No further extensions of time are contemplated.

S140861A112678 First Appellate District,
Division Two

PAGE v. S.C. (PEOPLE)

Extension of time granted

Respondent's time to serve and file the answer to petition for review is extended to February 24, 2006.

S140904

H027693 Sixth Appellate District

CHAVEZ v. S.C. (PEOPLE)

Extension of time granted

Respondent's time to serve and file the answer to petition for review is extended to March 3, 2006.

S140911

H027693 Sixth Appellate District

VARGAS et al. v. CITY OF SALINAS

Extension of time granted

Respondent's time to serve and file the answer to petition for review is extended to March 6, 2006.

S140974

H027093 Sixth Appellate District

SAFECO INSURANCE COMPANY OF
ILLINOIS v. ARCHITECTURAL FACADES
UNLIMITED, INC. et al.

Extension of time granted

to March 3, 2006, to file reply to answer to petition for review.

S129794

F044123 Fifth Appellate District

STEPHENS v. COUNTY OF TULARE

Order filed

The request of counsel for appellant in the above-referenced cause to allow two counsels to argue on behalf of appellant at oral argument is hereby granted.

The request to allocate to amici curiae California Employment Lawyers Association, Consumer Attorneys of California, & California Applicants' Attorneys Association 10 minutes of appellant's 30-minute allotted time for oral argument is granted.

S129794

F044123 Fifth Appellate District

STEPHENS v. COUNTY OF TULARE

The request of counsel for respondent in the above-referenced cause to allow two counsels to argue on behalf of respondent at oral argument is hereby granted.

The request to allocate to amici curiae California State Association of Counties & California League of Cities 10 minutes of respondent's 30-minute allotted time for oral argument is granted.

S139376

JENKINS v. STATE BAR

Remanded to State Bar

The matter is remanded to the State Bar Court. In calculating the five-year period under rule 662(b) of its Rules of Procedure, the State Bar Court is instructed to credit petitioner with the 14 months he was on involuntary inactive status prior to his disbarment and to allow him to file his petition for reinstatement. This order has no bearing on the merits of petitioner's petition for reinstatement.

S136346

DALE ON DISCIPLINE

Request for rehearing of State Bar discipline denied

S138592

LOFFARELLI ON DISCIPLINE

Request for rehearing of State Bar discipline denied

